

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 SS-20 NSC-10 CIAE-00 PM-07 INR-10

L-03 NEA-10 NSAE-00 PA-04 RSC-01 PRS-01 SPC-03

USIA-15 TRSE-00 SAJ-01 CU-04 DODE-00 ACDA-19 DRC-01

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FM USMISSION GENEVA

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INFO USMISSION NATO

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY OTTAWA

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY ROME

AMEMBASSY BONN

C O N F I D E N T I A L GENEVA 5718

E.O. 11652: GDS

TAGS: PFOR

SUBJ: CSCE: NATURE OF FINAL DOCUMENTS

REF: A. USNATO 5140 NOTAL

B. GENEVA 5406

C. USNATO 5085 NOTAL

D. STATE 211308 NOTAL

1. SUMMARY: WE BELIEVE UK PAPER (REFTEL A) IS USEFUL CONTRIBUTION TO ALLIED THINKING PROCESS ON NATURE OF FINAL CSCE DOCUMENTS. DISCUSSION WITH NATO ALLIES CAN BE USEFUL, PROVIDED ITS RESULTS REMAIN SUFFICIENTLY FLEXIBLE TO ALLOW DEALING WITH TACTICAL SITUATION AT THE CONFERENCE AS IT DEVELOPS. AS A GENERAL RULE, WE THINK US SHOULD CONTINUE ITS MINIMALIST APPROACH TO
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QUESTION OF NATURE OF ANY FINAL CSCE DOCUMENTS. END SUMMARY.

2. QUESTION OF NATURE OF FINAL CSCE DOCUMENTS, AS POSED BY UK PAPER, HAS BEEN SUBJECT OF SPORADIC INFORMAL CONVERSATIONS HERE FOLLOWING OCT 17 DISCUSSION REPORTED REFTEL B. CANADIAN DELEGATION HEAD (SHENSTONE) HAS ARGUED THAT ALLIED VIEWS ON THIS ARE FUNDAMENTAL TO WESTERN STRATEGY AND WILL GOVERN FORM AND LANGUAGE IN WHICH OUR DRAFTING PROPOSALS ARE TABLED. SOME OTHER ALLIES HAVE BEEN RELUCTANT TO EXPRESS VIEWS, PARTLY BECAUSE EC NINE ARE NOW ATTEMPTING TO REACH COMMON POSITION ON THIS SUBJECT IN CAUCUS MEETINGS HERE. NINE HAVE PROMISED TO PRESENT THEIR CONCLUSIONS TO THE FIFTEEN SOME TIME IN NOVEMBER. CANADIAN HAS CAUTIONED THEM THAT THIS SUBJECT SHOULD BE DISCUSSED AMONG THE FIFTEEN BEFORE ANY POLITICAL LEVEL DECISIONS ARE TAKEN, BUT WE UNDERSTAND NINE PREFER TO HAVE POLITICAL LEVEL DECISION FIRST.

3. UK PAPER IS USEFUL STIMULUS TO THE THINKING PROCESS THE WEST IS CURRENTLY GOING THROUGH, BUT WE QUESTION THE ASSUMPTION THAT THE FORM OF THE RESULTS OF THE CONFERENCE SHOULD CORRESPOND TO THE DEGREE OF AGREEMENT REACHED ON A PARTICULAR SUBJECT. WE WILL CERTAINLY HAVE MORE DIFFICULTY REACHING FULL AGREEMENT ON HUMANITARIAN SUBJECTS THAN ON PRINCIPLES BUT FORM OF DOCUMENTS SHOULD NOT SUGGEST THAT PRINCIPLES HAVE MORE IMPORTANCE. OUR BASIC ASSUMPTION WOULD BE THAT ALLIANCE SHOULD SEEK FORM WHICH FOLLOWS AND ENHANCES WESTERN AIMS IN THE CONFERENCE. CONSEQUENTLY WE SHOULD ENSURE THAT THE DECLARATION ON PRINCIPLES DOES NOT SERVE AS THE UMBRELLA DOCUMENT FOR THE CONFERENCE BUT IS ON THE SAME LEVEL OF IMPORTANCE AS THE DOCUMENTS ISSUING FROM BASKETS II AND III. IN ADDITION, THE CONFERENCE SHOULD NOT, WE BELIEVE, PRODUCE ANY DOCUMENTS REQUIRING RATIFICATION BY LEGISLATURES. WE WOULD AGREE THAT A DIVERSITY OF TEXTS APPROACH, AS SUGGESTED BY THE UK, MAY BE HELPFUL IN IMPLEMENTING THESE AIMS BUT WE HAVE SERIOUS DOUBTS THAT SOVIETS WILL BE FOOLED BY SUCH TACTICS. THEY HAVE REACTED STRONGLY TO THE SUGGESTION - MADE BY SWISS, AMONG OTHERS - THAT AGREEMENTS ON CONCRETE POINTS MIGHT BE MORE BINDING THAN THOSE ON OVERALL PRINCIPLES. IN VIEW OF THIS SOVIET
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REACTION, IT SEEMS UNLIKELY THAT ANY IMPLEMENTING AGREEMENTS WILL EMERGE IN LEGALLY BINDING FORM. AS A RESULT, WE BELIEVE OUR GENERAL APPROACH SHOULD BE TO ADVOCATE CONCLUSION OF LEGALLY NON-BINDING DOCUMENTS IN ALL AREAS.

4. IN CORRIDOR CONVERSATIONS WE HAVE SENSED GENERAL TREND TOWARD FINAL DOCUMENTS WHICH DO NOT ENTAIL TREATY-

LIKE COMMITMENTS BUT WHICH DO CREATE MORAL AND POLITICAL OBLIGATION TO ADHERE TO AGREEMENTS REACHED. FRENCH DELEGATION HEAD (ANDREANI) HAS TOLD US FRENCH HAVE RECENTLY CHANGED THEIR THINKING ON THIS QUESTION FROM PREVIOUS DESIRE FOR RELATIVELY BINDING COMMITMENTS TO "MINIMALIST" APPROACH. THEY RECOGNIZE, HOWEVER, THAT MORAL OBLIGATION WILL BE REQUIRED AS A MINIMUM BY SOME COUNTRIES (E.G. NEUTRALS).

5. WE FEEL GENERAL FORMAT OF FINAL DOCUMENTS MAY WELL FOLLOW HELSINKI BLUE BOOK, WITH AGENDA SECTIONS ENLARGED, AND ANY IMPLEMENTING AGREEMENTS PERHAPS INCLUDED IN ANNEXES. THIS FORMAT WOULD HAVE ADVANTAGES OF HIGH DEGREE OF ACCEPTABILITY, AND POSSIBILITY OF APPROVAL WITHOUT NECESSARILY INVOLVING FORMAL SIGNATURE (E.G. BY ACCLAMATION AS HELSINKI RECOMMENDATIONS WERE AT CSCE PHASE I).

6. AS TO DISCUSSION OF THIS ISSUE, WE WOULD CONSIDER AN EXCHANGE OF VIEWS WITH OUR NATO ALLIES USEFUL, BUT WE WOULD WANT TO RETAIN ENOUGH FLEXIBILITY TO DEAL WITH THIS QUESTION HERE IN LIGHT OF THE TACTICAL SITUATION AS IT DEVELOPS. BASSIN

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